

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**CITY OF PORTLAND,**

Defendant.

Case No. 3:12-cv-02265-SI

**[PROPOSED] ORDER**

Scott Erik Asphaug, Acting United States Attorney; Renata A. Gowie, Chief, Civil Division; Jared D. Hager, Assistant United States Attorney, UNITED STATES ATTORNEY'S OFFICE, DISTRICT OF OREGON, 1000 SW Third Avenue, Suite 600, Portland, OR 97204; Laura L. Cowall, Deputy Chief; R. Jonas Geissler, Trial Attorney, Special Litigation Section, Civil Rights Division, UNITED STATES DEPARTMENT OF JUSTICE, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530. Of Attorneys for Plaintiff.

Robert Taylor, City Attorney; Heidi Brown, Chief Deputy City Attorney; Denis M. Vannier, Senior Deputy City Attorney, OFFICE OF THE CITY ATTORNEY, 1221 SW Fourth Avenue, Room 430, Portland, OR 97204. Of Attorneys for Defendant.

Anil S. Karia, PUBLIC SAFETY LABOR GROUP, P.O. Box 12070, Portland, OR 97212. Of Attorneys for Intervenor-Defendant Portland Police Association.

J. Ashlee Albies, ALBIES & STARK, 210 SW Morrison Street, Suite 400, Portland, OR 97204; Kristen A. Chambers, PRISM LEGAL LLP, 3519 NE 15th Avenue, Suite 424, Portland, OR 97212. Of Attorneys for Enhanced *Amicus Curiae* Albina Ministerial Alliance Coalition for Justice and Police Reform.

Juan Chavez; Franz Bruggemeier, OREGON JUSTICE RESOURCE CENTER, P.O. Box 5248, Portland, OR 97208. Of Attorneys for *Amicus Curiae* Mental Health Alliance.

**Michael H. Simon, District Judge.**

On December 26, 2017, Plaintiff United States, Defendant City of Portland, Intervenor-Defendant Portland Police Association, and Enhanced *Amicus Curiae* the Albina Ministerial Alliance Coalition for Justice and Police Reform (collectively, the “Stipulators”) filed a Joint Stipulated Motion to Enter Amended Settlement Agreement. ECF 157. On January 22, 2018, the Court ordered a fairness hearing on the motion, declaring that the proposed Amended Settlement Agreement shall not take effect absent express approval by the Court. ECF 163. On April 19, 2018, the Court held a fairness hearing and received written and oral submissions from the Stipulators and numerous members of the public, before and during the hearing.

On May 15, 2018, the Court granted in part and denied in part the motion. ECF 171. The Court approved several amendments to the Settlement Agreement previously entered in this matter (ECF 4-1), and conditionally approved amendments to Sections IX and X regarding community engagement and oversight pending the Court’s further evaluation and final approval. Except for the conditionally approved amendments, the Court entered the Amended Settlement Agreement as an Order of the Court superseding the previously entered Settlement Agreement.

On October 4, 2018, the Court held an Interim Status Conference and received written and oral submissions from the Stipulators and numerous members of the public, before and during the hearing. The Court deferred until the next Interim Status Conference an order on the oral and renewed joint motion of the United States, the City of Portland, and the Portland Police Association for final approval of the conditionally approved amendments. ECF 193.

On June 6, 2019, the Court held an Interim Status Conference and received written and oral submissions from the Stipulators and numerous members of the public, before and during the hearing. The Court deferred until the next Interim Status Conference final approval of the conditionally approved amendments. ECF 206.

On February 25, 2020, the Court held an Interim Status Conference and received written and oral submissions from the Stipulators and numerous members of the public, before and during the hearing. The Court deferred final approval of the conditionally approved amendments. ECF 222.

On August 24, 2021, the Court held an Interim Status Conference and received written and oral submissions from the Stipulators and numerous members of the public, before and during the hearing. ECF 249. On September 21, the Plaintiff United States, Defendant City of Portland, Intervenor-Defendant Portland Police Association filed a Joint Motion for Final Approval of Conditionally Approved Amendments to the Settlement Agreement, and Enhanced *Amicus Curiae* the Albina Ministerial Alliance Coalition for Justice and Police Reform does not oppose this motion. ECF 261.

After reviewing the proposed amendments, related pleadings, oral argument, and public comment, the Motion is hereby GRANTED as follows:

The Court ORDERS that the conditionally approved amendments to the Amended Settlement Agreement, which make changes to Sections IX and X regarding community engagement and oversight, are APPROVED.

The Court ORDERS that the Amended Settlement Agreement attached hereto shall be and is entered as an Order of the Court, superseding the Amended Settlement Agreement

previously entered in this matter (ECF 171).

The Court ORDERS that, except for entering the Amended Settlement Agreement attached hereto, the provisions of this Court's July 30, 2015 Amended Order Entering Settlement Agreement, Conditionally Dismissing Litigation, and Setting First Annual Status Conference (ECF 99) otherwise remain in force.

**IT IS SO ORDERED.**

DATED this \_\_\_\_ day of \_\_\_\_\_, 2021.

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Michael H. Simon  
United States District Judge

SUBMITTED BY: Jared D. Hager  
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Attorney for Plaintiff United States